

1 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
2 REGION VIII

3 and
4 THE STATE OF UTAH DEPARTMENT OF HEALTH
5 and
6 THE UNITED STATES DEPARTMENT OF ENERGY

7 * * *

8 IN THE MATTER OF,)

PUBLIC HEARING

9 UNITED STATES DEPARTMENT)
10 OF ENERGY)

MINUTE ENTRY

11 MONTICELLO (UTAH) SITE:
12 MONTICELLO VICINITY PROPERTIES
13 NPL SITE and)
14 MONTICELLO MILLSITE)

15 *Federal Facility Agreement pursuant*
16 *to section 120 of the Comprehensive*
17 *Environmental Response, Compensation,*
18 *and Liability Act of 1980, as amended*
19 *by the Suprefund Agreements and*
20 *Reauthorization Act of 1986, 42USC*
21 *SS 9601-9675*

22 * * *

23 BE IT REMEMBERED that the above entitled public hearing
24 was held on February 9, 1989, commencing at the hour of 7
25 o'clock p.m. in the San Juan County Courthouse, 117 South
Main Street, Monticello, Utah. The minutes were taken by M.
Jane Musselman, Certified Transcriber for the State of Utah.

* * *

26 A P P E A R A N C E S

27 Utah Bureau of Radiation Control
28 Salt Lake City, Utah

Mark S. Day
(801) 538-6734

Utah Bureau of Solid & Hazardous
Waste

Brad T. Johnson
(801) 538-6170

1	Salt Lake City, Utah	Bob McLeod (801) 538-6170
2		
3	US EPA Community Relations	Jane Russo
4	999 18th Street	Community Relations
5	Denver, Colorado 80202	Coordinator 1-800 525-3022
6	DOE/Grand Junction Project Office	Dee Williams
7	P. O. Box 2567	(303) 248-6009
8	Grand Junction, Colorado	
9		Peter Mygatt FTS 326-6015
10		
11	UNC Geotech	George Grandbouche FTS 326-6010
12	Post Office Box 14000	
13	Grand Junction, Colorado 81502	Nick Abramiuk SFMP Program Manager (303) 248-6018
14	Department of Energy/HQ	
15	Washington, D.C.	W. E. Murphie (301) 353-5896
16	Environmental Protection Agency	
17	Region VIII	Lam Nguyen
18	999 18th Street, Suite 500	Civil/Environmental
19	Denver, Colorado 80202-2405	Engineer Project Manager
20	Monticello City	
21	33 West First South	Rick Terry
22	Monticello, Utah 84535	City Administrator (801) 587-2271
23		
24	San Juan County	Gerald Jackson
25	117 South Main Street	District Sanitarian
	Monticello, Utah 84535	(801) 587-2021
	Crowley Construction	
	Eastland	Gary Crowley
	Monticello, Utah 84535	(801) 587-2377

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P R O C E E D I N G S

OPENING STATEMENT

The opening statement and welcome was given by Jane O. Russo, community relations coordinator of the Environmental Protection Agency. Ms. Russo stated it was her job to make sure that the public is informed about what the EPA is doing in this area, and also to make the public aware that they can be a part of the decision-making process.

PURPOSE OF MEETING

Ms. Russo stated that the primary purpose of this public meeting was to discuss and answer questions on the three-part agreement between the United States Environmental Protection Agency, the State of Utah Department of Health, and the United States Department of Energy.

PANEL

Ms. Russo introduced the three-member panel:

Brad T. Johnson
Utah Bureau of Solid & Hazardous Waste

Dee Williamson
Department of Energy

Lam Nguygen
Environmental Protection Agency

The panel was there to address the concerns and answer

1 questions concerning the above-mentioned agreement.
2 Ms. Russo informed those in attendance that a copy of
3 the agreement is available at the Monticello Public
4 Library. She said that 75 of the privately owned homes
5 in the Monticello area have been completed, and there
6 are 22 left to do. The clean up will meet the
7 standards as set forth in the agreement.

8 *DOE STATEMENT*

9 Mr. Dee Williams of the Department of Energy stated he
10 appreciated the opportunity to come down to Monticello.
11 He said this agreement between the three entities was
12 signed December 16, 1988, and the time for public
13 comment ends February 20, 1989. He said the primary
14 purpose of the agreement was to:

15 1. To protect the public health and welfare and
16 environment.

17 2. Facilitate cooperation between the parties of
18 the agreement.

19 3. Establish procedures in accordance with
20 CERCLA/SARA, the NCP, and Superfund guidance and
21 policy.

22 Mr. Williamson stated: "The Department of Energy
23 is presently completing investigations to identify
24 potential properties contaminated with uranium mill
25 tailings derived from the Monticello mill site. These

1 investigations will continue throughout the coming year
2 and include vicinity property surveys being conducted
3 for the Department by our contractor, Oak Ridge
4 National Laboratory. As part of the investigation, we
5 are requesting anyone who has reasonable cause to
6 believe tailings from the Monticello mill were moved
7 onto their property or another property that has not
8 yet been assessed by DOE, to provide this information
9 to DOE."

10 *STATE OF UTAH*

11 Mr. Brad Johnson, Utah Bureau of Sound and Hazardous
12 Waste, outlined the State's responsibilities. The
13 Bureau of Radiation Control and the Bureau of Hazardous
14 Waste are involved on a State level and will report
15 back to EPA. The State shall participate in the
16 planning and implementation of the remedial action, the
17 EPA being the lead agency with ultimate responsibility
18 and authority.

19 *LOCAL CONCERNS & PROBLEMS*

20 *CLEAN UP*

21 Rick Terry, Monticello City Manager, expressed the
22 opinion of the citizens of Monticello that this whole
23 project was a complete waste of tax-payers' money. He
24 said he has been in contact with several people whose
25 yards have been "cleaned up," and they are not very

1 happy. That "things have not been put back the way
2 they should have been after the cleanup as was agreed."

3 *ABUSE OF CITY ROADS*

4 Mr. Terry also said he was very concerned about
5 the overloads which the trucks and equipment are
6 placing on the roads. The roads are not built to
7 handle this type of abuse, and the City of Monticello
8 does not have the money to repair them when the project
9 is completed.

10 *LACK OF COMPLIANCE TO HAULING REGULATIONS*

11 Mr. Terry said there has been tremendous concern
12 voiced by the citizens that the material being hauled
13 by the trucks is allowed to blow out of the trucks --
14 the trucks are not properly tarped.

15 Mr. Terry said the city has written to DOE and UNC
16 in Grand Junction regarding the road problem. The
17 response was that there wasn't any money set aside,
18 however, they would see what they could do. Mr. Terry
19 said: "We didn't know that they were going to rip up
20 the town; we just thought they were going to clean up
21 the tailings.

22 It was suggested by Dee Williams that questions on
23 restoration issues be directed to Bob Ivy, DOE, in
24 Grand Junction, telephone: 303 248-6002.

25 Mr. Nick Abramiuk of UNC stated that the letter to

1 the City of Monticello was from Ivy. Ivy needs a unit
2 cost.

3 Mr. Terry said the trucks also need to be
4 diapered, but this has not been the case. Mr. Williams
5 said any problems like this will be responded to
6 immediately if they are just made aware of them. He
7 should be notified or the construction inspectors:
8 Eddy Gode, Bob Moore, Mirk Herrera.

9 Mr. Peter Mygatt, U.S. Department of Energy,
10 inquired if there were problems with county roads.

11 Mr. Terry said there was, and the county has
12 designated some roads.

13 Gary Crowley, Crowley Construction, wanted to know
14 if Mark was going to be on the job site at all times.
15 No one knew the answer at this time. Crowley said he
16 feels that it would be a benefit for someone from the
17 State to be on the job at all times. Mr. Crowley
18 stated that the contractors are supposedly paying on
19 Davis-Bacon scale, and they are not. He has reported
20 this, but was told there is nothing anyone can do about
21 it. He also said that Clay Hill Road (lower cemetery
22 road) needs to be widened, because it is dangerous.
23 Mr. Nick Abramiuk said this would be taken care of.
24 Mr. Crowley said he is concerned about outside
25 contractors and warranties on their work, and also the

1 damage they cause to the roads. Local contractors are
2 doing a good job, but out-of-town contractors are the
3 worst, and the city has little or no recourse. Mr.
4 Crowley said that he is also concerned about the
5 outside contractors not following the guidelines of
6 Davis-Bacon. Nick Abramiuk said he would look into
7 this and make a report.

8 Mr. Terry said that even though the loads weigh
9 legal, they are too heavy for the roads.

10 Designated routes were discussed and the
11 possibility of a restoration clause for the determined
12 route.

13 *COMMUNICATION PROBLEMS & LINE OF AUTHORITY*

14 BILL MURPHIE, DOE, Washington D.C., suggested that
15 maybe the City of Monticello appoint a designee to work
16 with the project manager. It was suggested that Gerald
17 Jackson, District Sanitarian, be designated to this
18 position.

19 Rick Terry: We realize they have signed a
20 contract, but the main concern is the streets in the
21 city.

22 Mark Day, Bureau of Radiation Control, once we get
23 the agreement in its final form and if there are any
24 concerns with regard to construction inspection, he
25 will be willing to come down.

1 Nick Abramiuk said he needs to have more contact
2 with a local inspector. Crowley says inspectors seem
3 not to have any authority. Mr. Abramiuk said they have
4 authority to diaper trucks, etc. Crowley said he asked
5 the inspector to watch diapering and was told that even
6 though the trucks were not diapered, he couldn't do
7 anything about it. Crowley feels they need more
8 authority. Mr. Abramiuk said that Bob Moore has the
9 authority.

10 *CURRENT STATUS OF CLEAN UP*

11 Crowley asked if there were any more properties to
12 be surveyed? Mr. Williams said that Oak Ridge does all
13 the surveys. Mr. Abramiuk said they have surveyed most
14 of the properties in town.

15 Mr. Terry wanted to know the time span, and Mr.
16 Abramiuk said it was two years. What they are going
17 through right now is a sweep of the town to see if
18 there are any more properties contaminated. Oak Ridge
19 will try to determine how many more. Maybe find
20 another 20 to 30 suspect properties, and that will
21 probably exhaust all the properties in Monticello.

22 *NEED TO INFORM PUBLIC & PROPERTY OWNERS*

23 Mr. Murphie suggested a need to follow up on
24 advertisement to people to make people aware of the
25 process, and if they think they have a problem, who

1 they should get in touch with. It was felt by Mr.
2 Nguyen that perhaps a letter could be sent to
3 everyone's home. After some discussion it was
4 concluded that radio and newspaper is not necessarily
5 a good source if you want to cover everyone. Jane
6 Russo said from the turn out at this hearing that maybe
7 a separate mailing to property owners would be more
8 effective. Mr. Terry said because so many people leave
9 the area for the winter, it would be better if the
10 letters were mailed to homeowners during the summer
11 months.

12 *PROCESS OF NOTIFYING EPA OF POTENTIAL HOT SPOTS*

13 The process of notifying EPA of potential hot
14 spots was discussed. Mr. Crowley wanted to know how
15 the people were to know if their property is suspect?
16 Mr. Murphie said all the surveys of all the area had
17 been done, but if a property owner had reason to
18 believe his property was suspect, the burden of proof
19 is not on the homeowner, and they need to let the EPA
20 know. They have already done the surveys, and this is
21 the last line of defense -- to make sure no one is
22 missed. Mr. Terry wanted to know if someone later is
23 determined to be contaminated, will the government
24 still have to clean it up? Mr. Murphie said that the
25 government is responsible. Mr. Day said there is no

1 regulation on own source materials. If there are
2 concerns, package a sample up and contact Mark Day or
3 Dave Ariotti. Gerald Jackson said he will act as
4 liaison. He wanted to know if there are there
5 properties that are hot because people don't want them
6 cleaned up? Mr. Terry said that he was aware of only
7 one. Mr. Williams said that the privately owned sites
8 are voluntary programs. He said they sent out letters
9 to all these people, and they have had only one
10 rejection. This step should be complete in the year
11 1998. That is the project time from the time after
12 1991 that will actually start taking care of the
13 millsite.

14 *ADJOURNMENT*

15 Jane Russo brought the meeting to an end. She
16 said anyone wanting answers to questions on the
17 feasibility study, you can call her at 1-800-525-3022.
18 Still have an opportunity to comment on agreement until
19 February 20.

20 Meeting adjourned at 8:15 p.m.

21
22 **CERTIFICATE**

23 I, M. Jane Musselman, certify that I attended the
24 hearing of the foregoing matter and thereat reported the
25 minutes of all the proceedings and caused said notes to be

1 transcribed into typewriting, and the foregoing pages
2 numbering 13 constitute a full, true, and correct report of
3 the same.

4 DATED this 27th day of March, 1989.

5
6 M. Jane Musselman
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TERMS & ABBREVIATIONS

AEA	
AEC	Atomic Energy Commission
ARARs	Applicable or Relevant & Appropriate Requirements
DRC	Dispute Resolution Committee
FOIA	Freedom of Information Act
FS	Feasibility Study
FUSRAP	Formerly Utilized Sites Remedial Action Program
IRA	Interim Remedial Action
GJPO	Grand Junction Projects Office
MRAP	Monticello Remedial Action Project
NCP	National Oil & Hazardous Substance Pollution Contingency Plan
NEPA	National Environmental Policy Act
NPL	National Priorities Listing
NRC	Radiological Protection Standards
ORNL	Oak Ridge National Laboratory
RA	Remedial Action
RD	Remedial Design
REAs	Radiological Engineering Assessments
RI	Remedial Investigation
ROD	
SEC	Senior Executive Committee
SES	
SFMP	Surplus Facilities Management Program

SMOA	Superfund Memorandum of Agreement
QA	Quality Assurance
QC	Quality Control
QAPP	Quality Assurance Project Plan
UMTRA	Uranium Mill Tailings Remedial Action
UMTRCA	Uranium Mill Tailings Radiation Control Act